

REMARKS

Allowable Matter

Applicant notes the Examiner's determination that claims 16-28 are allowable.

35 U.S.C. §103

The Examiner has rejected claims 1-16 as being unpatentable in view of a combination of a number of cited references. However, Applicant respectfully disagrees with these rejections and requests reconsideration.

The preambles of independent claims 1, 10 and 15 have been amended to state that the passenger compartment includes a steering control. The body of the claim has also been amended to state that the frame is positioned proximate a vehicle seat. Support for the recitation of a "steering control" follows from, for example, the statement that "[b]oth driver and passenger seats are ideal locations" for the exercise system. See specification, page 1, lines 6-7; and Fig 1.

In the November Office Action, the Examiner suggested that the "cargo area" of a semi-truck may comprise a passenger compartment. The Examiner also suggested that cruise ships and aircraft also may include exercise apparatus secured to a vehicle floor. However, Applicant respectfully submits that none of the cited references, or the Examiner's suggested examples, disclose or suggest an exercise apparatus positioned proximate a vehicle seat and in a passenger compartment that features a steering control (e.g., a steering wheel) for the vehicle. By definition, a steering control would not be placed in the "cargo area" of a semi-truck. Further, neither Hanc, Location Fitness nor Nathaniel make any reference to an exercise apparatus in a passenger compartment and features a steering control (including, e.g., the cockpit of an aircraft or the bridge of a ship). Therefore, Applicant respectfully submits that claims 1, 10 and 15 are allowable over the prior art since none of the references cited by the Examiner disclose the

exercise system as claimed and one of skill in the art would not look to the references cited by the Examiner to teach the claimed invention. Applicant also submits that the various dependant claims are also allowable as they depend from an allowable independent claim.

35 U.S.C. §102(b)

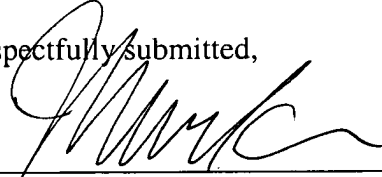
Claim 29 has been rejected as being anticipated by Nathaniel. Applicant respectfully disagrees.

The transitional phrase of claim 29 has been amended so that the exercise system now “consists of” certain elements. More specifically, the exercise device of claim 29 is now directed to an exercise device that consists of a frame ... the frame being directly securable to the floor of a passenger compartment of a vehicle. An advantage of having the ability to affix the frame directly to a vehicle floor is that it allows the frame to forego the use of a lower crossmember. In contrast, Nathaniel, and the other referred to in the recent Office Action by the Examiner, have a crossmember (see Nathaniel Figure 1 #26) or are of a dissimilar design.

Further, Applicant respectfully submits that a further search is not necessary given that the instant use of the “consisting of” language narrows the scope of the claim as originally drafted.

In view of the above amendments and remarks, Applicant submits that the application is now in proper form for allowance. Such action is respectfully requested.

Respectfully submitted,



Mark D. Schneider
Registration No. 43,906
Gifford, Krass, Groh, Sprinkle,
Anderson & Citkowski, P.C.
2701 Troy Center Drive, Suite 330
P.O. Box 7021
Troy, MI 48007-7021
(248) 647-6000

Attorney for Applicant

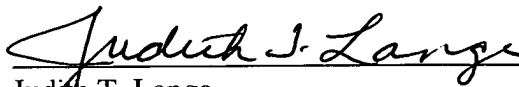
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Judith T. Lange